

68

MIED (Rev. 03/11) Prisoner Civil Rights Complaint

Official Use Only		
Case Number	Judge	Magistrate Judge

Case:2:15-cv-14452
 Judge: Tarnow, Arthur J.
 MJ: Stafford, Elizabeth A.
 Filed: 12-18-2015 At 04:15 PM
 PRIS TAYLOR V BURK ET AL (AT)

PRISONER CIVIL RIGHTS COMPLAINT

This form is for use by state prisoners filing under 42 U.S.C. § 1983 and federal prisoners filing pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971).

Plaintiff's Information			
Name <i>Timothy L. Taylor</i>		Prisoner No. <i>212535</i>	
Place of Confinement <i>Oaks Correctional Facility</i>			
Street <i>1500 Caberfae Highway</i>	City <i>Manistee</i>	State <i>Mi</i>	Zip Code <i>49660</i>
Are there additional plaintiffs? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, any additional plaintiffs to this action should be listed on a separate 8½" x 11" sheet of paper and securely attached to the back of this complaint. <u>You must provide names, prisoner numbers and addresses for all plaintiffs.</u>			

Defendant's Information			
Name <i>BURK</i>		Position <i>WARDEN</i>	
Street/P.O. Box <i>2400 S. Sheridan Dr</i>	City <i>Muskegon</i>	State <i>Mi</i>	Zip Code <i>49442</i>
Are you suing this defendant in his/her: <input type="checkbox"/> Personal Capacity <input type="checkbox"/> Official Capacity <input checked="" type="checkbox"/> Both Capacities			
Are you suing more than one defendant? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, any additional defendants to this action should be listed on a separate 8½" x 11" sheet of paper and securely attached to the back of this complaint. <u>You must provide their names, positions, current addresses and the capacity (personal, official or both) in which you are suing them.</u>			

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN

Timothy L. TAYLOR
PLAINTIFF

Case No. _____
The Honorable: _____

VS.

WARDEN BURK, INSPECTOR DAVIS,
ARUS SOWA, MS. Baldwin (QMHP),
AND L. BARNES (GRIEV. COOR.)
DEFENDANTS

PRISONER CIVIL RIGHTS COMPLAINT

NAME:

P. DAVIS

POSITION:

INSPECTOR

STREET/P.O. BOX:

2400 S. SHERIDAN DR

CITY:

MUSKEGON

STATE:

MICH.

ZIP CODE:

49442

I am suing this Defendant in His:

Both Capacities (Personal/Official)

NAME:

MR. SOWA

POSITION:

PRISONER COUNSELOR (ARUS)

STREET/P.O. BOX:

2400 S. SHERIDAN DR

CITY:

MUSKEGON

STATE:

MICH.

ZIP CODE:

49442

I am suing this Defendant in His:

Both Capacities (Personal/Official)

NAME:

MS. BALDWIN

POSITION:

QUALIFIED MENTAL HEALTH PROVIDER

STREET/P.O. BOX:

2400 S. SHERIDAN DR

CITY:

MUSKEGON

STATE:

MICH.

ZIP CODE:

49442

I am suing this Defendant in Her:

Both Capacities (Personal/Official)

NAMEPOSITIONL. BARNESGRIEVANCE COORDINATORSTREET/P.O. BOX:CITY:STATE:ZIP CODE:2400 S. SHERIDAN DR.MUSKEGONMICH.49442I AM SUING THIS DEFENDANT IN HER:BOTH CAPACITIES (PERSONAL-OFFICIAL)

I. PREVIOUS LAWSUITS

Have you filed any other lawsuits in state or federal court relating to your imprisonment?

☒ Yes ☐ No

If "Yes," complete the following section. If "No," proceed to Part II.

Please list all prior civil actions or appeals that you have filed in federal court while you have been incarcerated.

Docket or Case Number:	2:00-CV-211
Name of Court:	UNITED STATES DISTRICT COURT WESTERN DISTRICT
Parties (Caption or Name of Case):	TAYLOR VS LAVIGNE
Disposition:	SUMMARY JUDGEMENT FOR DEFENDANT

Docket or Case Number:	1:00-CV-724
Name of Court:	UNITED STATES DISTRICT COURT WESTERN DISTRICT
Parties (Caption or Name of Case):	TAYLOR VS BILL MARTIN, et al,
Disposition:	SUMMARY JUDGEMENT FOR DEFENDANT.

Docket or Case Number:
Name of Court:
Parties (Caption or Name of Case):
Disposition:

Any additional civil actions should be listed on a separate sheet of 8½" x11" paper and securely attached to the back of this complaint.

II. STATEMENT OF FACTS

State here, as briefly as possible, the facts of your case. Describe how each defendant is involved. Include the names of other people, dates and places involved in the incident. Do not give any legal arguments or cite any cases or statutes.

SEE ATTACHED

III. STATEMENT OF CLAIMS

State what rights under the Constitution, laws, or treaties of the United States have been violated, and be specific. Set forth each claim in a separate paragraph. If you intend to allege several related claims, number and set forth each claim on a separate 8½" x 11" sheet of paper and securely attach the papers to the back of this complaint.

SEE ATTACHED

IV. RELIEF

State briefly and exactly what you want the Court to do for you.

STATEMENT OF FACTS

1). ON 3-12-15 PLAINTIFF WAS IN A PHYSICAL CONFRONTATION WITH AN INMATE NICK-NAMED "WORLD" IN THE UNIT ONE BATHROOM, ON THE SECOND FLOOR.

2). ON 3-13-15 AFTER BREAKFAST, PLAINTIFF WAS APPROACHED BY AN INMATE WHO HAD WITNESSED THE CONFRONTATION BETWEEN PLAINTIFF AND INMATE "WORLD" AND INFORMED THAT INMATE "WORLD" HAD PUT A "HIT" ON HIS LIFE AND THAT A "G.D" (GANGSTER DISCIPLE) GANG MEMBER HAD TOOK THE MONEY FOR THE "HIT" AND THAT HE (PLAINTIFF) SHOULD WATCH HIS BACK.

3). ON 3-13-15 AT AROUND 10:30 PM SEVERAL GANG MEMBERS APPROACHED PLAINTIFF AND TRIED TO PICK A FIGHT BUT PLAINTIFF TRIED TO WALK AWAY BUT THE GANG MEMBERS FOLLOWED PLAINTIFF OUT OF THE DAYROOM.

4). AS PLAINTIFF REACHED HIS CELL (202) HE WAS SURROUNDED BY 8 TO 10 GANG MEMBERS.

5). PLAINTIFF'S CELL MATE WAS INSIDE THE CELL WITH THE CELL DOOR OPEN AND TWO GANG MEMBERS ENTERED THE CELL AND TOOK \$20 IN STORE ITEMS OUT OF PLAINTIFF'S DESK.

6). PLAINTIFF WAS STANDING IN THE HALL SURROUNDED BY OTHER GANG MEMBERS TRYING TO GET INTO HIS CELL AND KEEP FROM FIGHTING WHEN PLAINTIFF'S CELL MATE LEFT THE CELL AND AN INMATE IN THE CELL NEXT TO PLAINTIFF'S STEPPED INTO THE HALL AND ASKED WHAT WAS GOING ON.

7). AT THAT TIME PLAINTIFF TOOK THE OPPORTUNITY TO STEP INTO HIS CELL AND SLAM THE DOOR BEFORE HE COULD BE ASSAULTED.

8) That The GANG members proceeded to "Jimmy" the lock of the door, use their ID CARD on the side of the door to get it open and to convince PLAINTIFF to open the door and come out so they could "TALK" to him.

9) The GANG members stayed outside of PLAINTIFF's cell until 11:30 COUNT trying to get PLAINTIFF's cell door open.

10) That PLAINTIFF knew that at least 5 of these GANG members locked and/or resided in cells down the hall from him and that they had weapons and that he would have to deal with these GANG members, at the latest, at breakfast time.

11) ON 3-14-15 at 3:10 am PLAINTIFF went down stairs to the officers desk and requested to be placed in protective custody.

12) The Desk officers placed PLAINTIFF in a dayroom and instructed him to write out a statement for the Sargeant (SGT) providing the names of the GANG members who chased him to his cell.

13) PLAINTIFF wrote a statement naming the "NICK-NAMES" of three of the GANG members who he recognized out of the 8 to 10 GANG members who tried to assault him, (Dodge, Southend and EastCoast) and requested that the camera from unit one in the area of cell 202 be reviewed to verify that he (PLAINTIFF) was chased and surrounded and robbed at his cell and to be able to identify the GANG members he did not know.

14) After writing the statement PLAINTIFF gave it to the SGT who read it and instructed STAFF to place PLAINTIFF in handcuffs and escort him to Segregation.

15). ON 3-18-15 PLAINTIFF WAS TAKEN FROM HIS CELL IN SEGREGATION TO MEET AND/OR TALK TO ARUS SOWA IN A ROOM IN SEGREGATION.

16). ARUS SOWA ASKED PLAINTIFF WHY HE WAS SEEKING PROTECTIVE CUSTODY AND PLAINTIFF INFORMED ARUS SOWA THAT HE HAD WRITTEN EVERYTHING DOWN IN HIS STATEMENT GIVEN TO THE SGT., ARUS SOWA STATED THAT HE WANTED PLAINTIFF TO GIVE HIM A VERBAL ACCOUNT.

17). PLAINTIFF INFORMED ARUS SOWA OF EVERYTHING THAT HAPPENED AND STATED THAT IF HE (ARUS SOWA) LOOKED AT THE VIDEO CAMERA AROUND CELL 202 HE WILL SEE 8 TO 10 GANG MEMBERS TAKING HIS PROPERTY AND SURROUNDING HIM IN THE HALL AND TRYING TO "JIMMY" THE CELL (202) DOOR TRYING TO GET INTO THE CELL TO GET HIM (PLAINTIFF).

18). ARUS SOWA THEN ASKED PLAINTIFF FOR THE NAME OF THE GUY WHO PUT THE "HIT" ON HIS LIFE AND OF THE GANG MEMBER WHO TOOK THE MONEY FOR THE "HIT".

19). PLAINTIFF INFORMED ARUS SOWA THAT HE DID NOT KNOW THE "REAL" NAME OF THE GUY WHO PUT THE "HIT" ON HIM BUT HE (PLAINTIFF) DID KNOW HIS NICK-NAME WAS "WORLD", PLAINTIFF INFORMED ARUS SOWA THAT HE KNEW WHAT "WORLD" LOOKED LIKE.

20). PLAINTIFF INFORMED ARUS SOWA THAT HE DID NOT KNOW ANY NAME FOR THE GANG MEMBER WHO TOOK THE MONEY FOR THE HIT BUT THE NAMES OF THREE OF THE 8 TO 10 GANG MEMBERS WHO CHASED HIM TO HIS CELL WERE, DODGE, SOUTHERN AND EASTCOAST AND HE KNEW WHAT THEY LOOKED LIKE.

21). ARUS SOWA INFORMED PLAINTIFF THAT HE WOULD BE SEEN BY S.C.C. (SECURITY CLASSIFICATION COMMITTEE) ON THE

both so he had two days to come up with these names or his protection request would be denied.

22). AFTER TALKING TO ARUS SOWA ON 3-18-15 PLAINTIFF wrote a letter to WARDEN BURK AND INSPECTOR P. DAVIS detailing the incident from beginning to end and requesting them to review the UNIT ONE camera around cell 202 (see attached Exhibit A).

23). AT NO TIME WAS ~~PLAINTIFF~~ ASKED by ARUS SOWA OR ANYONE ELSE TO LOOK AT THE UNIT ONE PHOTO BOOK OF ALL INMATES housed in UNIT ONE TO IDENTIFY ANY OF THE GANG MEMBERS OR THE GUY WHO PUT THE "HIT" ON HIM.

24). ON 3-20-15 PLAINTIFF WAS TAKEN TO see S.C.C. (ARUS SOWA, INSPECTOR DAVIS AND MS. BALDWIN), AFTER BEING SEATED INSPECTOR DAVIS ASKED PLAINTIFF WHY HE NEEDED PROTECTION?

PLAINTIFF ANSWERED:

"I SENT YOU TWO LETTERS EXPLAINING
THE WHOLE SITUATION."

INSPECTOR DAVIS THEN STATED:

"I DID NOT RECEIVE THE LETTERS YOU SPEAK
OF BUT I WANT TO HEAR EVERYTHING FROM YOU."

25). PLAINTIFF TOLD INSPECTOR DAVIS AND THE OTHER MEMBERS OF S.C.C. THAT HE HAD GOTTEN INTO A PHYSICAL CONFRONTATION WITH AN INMATE NICK-NAMED "WORLD" WHO WAS UPSET ABOUT THE END RESULTS OF THE FIGHT AND PUT A "HIT" ON THE PLAINTIFF'S LIFE AND THAT A GANG MEMBER HE (PLAINTIFF) DID NOT KNOW TOOK THE MONEY AND SENT THE 8 TO 10 GANG MEMBERS TO ATTACK AND ROB HIM.

26). INSPECTOR DAVIS ASKED PLAINTIFF:

"WHAT IS THE NAME OF THE GUY WHO PUT
THE "HIT" ON YOU AND THE GANG MEMBER

who Took The HIT?"

PLAINTIFFS Response To This question was:

"I don't know their Real Names but
I know what "WORLD" looks like."

INSPECTOR DAVIS Then STATED:

"I don't believe you, if there was a HIT ON
YOU I would know about IT, I AM Releasing
You back To general population."

PLAINTIFF ASKED INSPECTOR DAVIS:

"What if something happens To me?"

INSPECTOR DAVIS'S Response was:

"Then I guess we will know you
Told The TRUTH."

26). ON 3-20-15 PLAINTIFF WAS Released FROM PROTECTIVE
CUSTODY AND IMMEDIATELY Filed A GRIEVANCE. (See EXHIBIT B).

27) ON 3-24-15 The GRIEVANCE COORDINATOR (L. BARUES)
RETURNED The GRIEVANCE, file ON 3-20-15, INSTRUCTING THAT
CERTAIN CORRECTIONS NEEDED To be made. These CORRECTIONS
were made and The GRIEVANCE Refiled, AND To This day
PLAINTIFF HAS NOT Received A GRIEVANCE Identifier number
OR A STEP I GRIEVANCE Response.

27). ON 4-6-15 PLAINTIFF WAS CORNERED IN The UNIT
3 LOWER bathroom by four gang members (2 with weapons)
and The only Reason PLAINTIFF WAS NOT ASSAULTED is because
Two other inmates who knew PLAINTIFF Followed The gang
members INTO The bathroom AND STOPPED The ASSAULT.

28). ON 4-9-15 PLAINTIFF WAS Placed IN segregation
FOR A "POSSESSION OF A WEAPON" MISCONDUCT.

29). ON 4-10-15 PLAINTIFF WROTE INSPECTOR DAVIS A KITE INFORMING HIM THAT HE (PLAINTIFF) HAD FOUND OUT THE LAST NAME OF THE GUY WHO PUT THE "HIT" ON HIM ("KINCALDE") AND INFORMING INSPECTOR DAVIS THAT "KINCALDE" LOCKED IN THE CELL ACROSS THE HALL FROM CELL 202 AND THAT THE "NICK-NAME" OF THE GANG MEMBER WHO TOOK THE "HIT" WAS "BRIGHTMORE" AND HE LOCKED BETWEEN CELLS 210 + 215 OF UNIT ONE.

30). PLAINTIFF ALSO INFORMED INSPECTOR DAVIS (IN THE KITE) ABOUT HIS ALMOST BEING ASSAULTED IN UNIT 3 BY FOUR GANG MEMBERS. THIS KITE WAS GIVEN TO ARUS SOWA TO READ AND DELIVER TO INSPECTOR DAVIS WHEN HE (ARUS SOWA) WAS MAKING ROUNDS IN SEG. (SEE EXHIBIT C)

31). AFTER PROVIDING ARUS SOWA WITH THE KITE TO GIVE TO INSPECTOR DAVIS PLAINTIFF ASKED ARUS SOWA IF HE COULD RECOMMEND THAT HE (PLAINTIFF) BE TRANSFERRED OUT OF THE FACILITY BECAUSE OF THE "HIT" ON HIS LIFE AND ARUS SOWA RESPONDED (SMILING): "YOU WILL BE GOING BACK TO G.P."

32). AFTER TALKING TO ARUS SOWA LEFT PLAINTIFFS CELL A GRIEVANCE WAS FILED MCF 2015-05-0435-28E.

33). ON 4-25-15 THE GRIEVANCE COORDINATOR RETURNED THE GRIEVANCE INDICATING THAT CORRECTIONS NEEDED TO BE MADE, THESE MINOR CORRECTIONS WERE MADE AND THE GRIEVANCE REFILED ON 4-29-15

34). ON 5-5-15 THE GRIEVANCE COORDINATOR (L. BARNES) AGAIN RETURNED THE GRIEVANCE "NOW" STATING THAT THE GRIEVANCE WAS "UNTIMELY", WHICH IS FALSE BECAUSE THE GRIEVANCE COORDINATOR FAILED TO TAKE INTO ACCOUNT THAT SHE HAD RETURNED THE GRIEVANCE WITH INSTRUCTIONS FOR CORRECTIONS TO BE MADE, SHE CAN NOT THEN DENY THE GRIEVANCE FOR

Being "untimely". (See Exhibit D), on 5-26-15 the step II Grievance was filed and to this day no response has been received.

35). On 4-24-15 Plaintiff was seen by S.C.C., for the possession of a weapon misconduct, and was asked by Inspector Davis:

"What were you going to do with the knife?" Plaintiff's response was:

"It was not my knife, but if it had been it would have been for protection."

Inspector Davis then asked:

"Protection from who?"

Plaintiff responded:

"From the same guys I told you about from the beginning. I was cornered by four gang members (2 with weapons) in unit 3 Lower bathroom and the only thing that saved me was that two guys that I knew followed them into the bathroom, and stopped them from assaulting me."

"I sent you a kite detailing all of this didn't you get it?"

Inspector Davis responded:

"NO!"

Plaintiff stated:

"I gave the kite to Arus Sowa to give to you."

Arus Sowa cut in stating:

"I put the kite in your mail box."

INSPECTOR DAVIS (smiling) STATED:

"I've been on VACATION SO I
did NOT READ IT."

PLAINTIFF ASKED:

"Did you at Least Look at The
Video FROM The UNIT ONE Camera
OR Read ANY OF The Kites I HAVE
WRITTEN TO YOU?"

INSPECTOR DAVIS REPLIED:

"NO"

PLAINTIFF THEN ASKED:

"why ARE we here if you don't HAVE
All OF The NECESSARY INFORMATION TO
make an informed decision?"

INSPECTOR DAVIS RESPONDED:

"I'm RELEASING you back TO G.P. THAT'S
my decision, I don't NEED ANYTHING
OTHER THAN THAT."

36). PLAINTIFF WAS THEN ESCORTED BACK TO HIS CELL
WHERE HE WROTE A KITE TO INSPECTOR DAVIS STATING:

"INSPECTOR": THE SITUATION AS IT STANDS IS
THIS... IF YOU PLACE ME BACK IN G.P I AM
GOING TO KILL OR TRY TO KILL ONE OR BOTH OF
THE GUYS I MENTIONED OR THEY ARE GOING TO
KILL ME... IF YOU ARE OK WITH THIS THEN IT
IS WHAT IT IS."

37). PLAINTIFF GAVE THE KITE TO THE SEGREGATION
OFFICER AND ASKED HIM TO GIVE IT TO INSPECTOR DAVIS BEFORE
HE LEFT. TEN MINUTES LATER THE OFFICER COMES BACK TO

PLAINTIFFS Cell saying that INSPECTOR DAVIS HAD INSTRUCTED him TO write him (PLAINTIFF) a "Threatening Behavior" misconduct.

37). AT NO TIME during, BEFORE OR AFTER THE S.C.C hearing was PLAINTIFF ASKED TO IDENTIFY ANY OF THE GANG members OR THE Guy who put the HIT ON him FROM THE UNIT ONE OR UNIT THREE PHOTO BOOK OF THE PRISONERS LOCKING IN these UNITS, EVEN AFTER PLAINTIFF STATED HE KNEW what they LOOKED LIKE.

38). ON 4-24-15 PLAINTIFF FILED A GRIEVANCE AGAINST S.C.C., MCF 2015-05-0436-28A. ON 5-05-15 THE GRIEVANCE COORDINATOR (L. BARNES) RETURNED THE GRIEVANCE REJECTING IT AS "DUPLICATE" OF GRIEVANCE 0435. ON 5-26-15 THE STEP II GRIEVANCE WAS FILED AND TO THIS DATE NO RESPONSE FROM L. BARNES OR ANYONE ELSE HAS BEEN RECEIVED (SEE EXHIBIT E).

39). ON 5-7-15 PLAINTIFF WAS AGAIN SEEN BY S.C.C. (INSPECTOR DAVIS, ARUS SOWA AND MS. BALDWIN), WHILE BEING ESCORTED TO THE ROOM TO SEE S.C.C., PLAINTIFF NOTICED THAT MS. BALDWIN WAS STANDING OUTSIDE THE ROOM IN THE HALLWAY WHILE INSPECTOR DAVIS AND ARUS SOWA WERE DISCUSSING PLAINTIFF'S SITUATION, THIS IS KNOWN BECAUSE PLAINTIFF OVERHEARD ARUS SOWA SAYING "TAYLOR'S LYING". ONCE PLAINTIFF WAS SEATED INSPECTOR DAVIS CALLED MS. BALDWIN BACK INTO THE ROOM.

40). AS MS. BALDWIN ENTERED THE ROOM AND WAS SEATED, INSPECTOR DAVIS STATED:

"WE ARE RELEASING YOU BACK TO G.P."

PLAINTIFF ASKED:

"WHY WOULD YOU RELEASE ME BACK TO G.P.
KNOWING THERE IS A "HIT" ON MY LIFE?"

Inspector Davis Replied:

"There is no 'Hit' on you, I would know
if it was."

40). PLAINTIFF was escorted back to his cell

42). ON 5-8-15 PLAINTIFF STOPPED ARUS SOWA while he was
MAKING ROUNDS IN SEGREGATION AND AGAIN REQUESTED TO BE
TRANSFERRED OUT OF THE FACILITY, AND ARUS SOWA STATED:

"YOU WILL NOT BE TRANSFERRED."

PLAINTIFF THEN ASKED:

"WHY ARE YOU, INSPECTOR DAVIS, AND MS.
BALDWIN RELEASING ME BACK TO G.P. WHEN
I HAVE JUST BEEN FOUND GUILTY OF
THREATENING BEHAVIOR?"

ARUS SOWA'S RESPONSE WAS:

"GO GET THEM BUCKO, WE'LL BE HERE
WHEN YOU GET BACK."

43). ON 5-10-15 PLAINTIFF WAS RELEASED BACK TO G.P. ON
5-13-15 PLAINTIFF WENT TO ARUS CALVIN IN UNIT TWO AND EXPLAINED
THE WHOLE SITUATION FROM BEGINNING TO END AND ASKED THAT
HE PUT IN A TRANSFER FOR HIM (PLAINTIFF) AS SOON AS POSSIBLE.

44). ARUS CALVIN INFORMED PLAINTIFF THAT THERE WAS
NOTHING HE COULD DO, BUT IF HE (PLAINTIFF) WROTE A LETTER TO
THE WARDEN HE (ARUS CALVIN) WOULD TAKE THE LETTER UP TO
CONTROL CENTER PERSONALLY AND PUT IT IN WARDEN BURKS MAIL
BOX... PLAINTIFF IMMEDIATELY WROTE THE LETTER AND GAVE IT
TO ARUS CALVIN (SEE EXHIBIT F).

45). 5-10-15 PLAINTIFF WAS CALLED UP TO CONTROL CENTER
AT AROUND LUNCH TIME TO SEE WARDEN BURKS

46). UPON ARRIVAL TO CONTROL CENTER PLAINTIFF WAS ESCORTED TO THE VISITING ROOM, WHICH WAS EMPTY EXCEPT FOR PLAINTIFF AND WARDEN BURK. WARDEN BURK INFORMED PLAINTIFF THAT SHE HAD RECEIVED HIS KITES FROM SEGREGATION AND HAD INSTRUCTED INSPECTOR DAVIS TO INVESTIGATE PLAINTIFF'S CONCERNS, BUT NOW THAT PLAINTIFF WAS OUT OF SEGREGATION SHE WANTED TO HEAR EVERYTHING FROM HIM (PLAINTIFF) AND DISCUSS WHAT WAS GOING ON IN THE PROTECTION SITUATION.

47). PLAINTIFF REITERATED EVERYTHING FROM THE BEGINNING TO THE END AND GAVE HER THE NAME OF THE GUY WHO PUT THE "HIT" ON HIM ("KINCALD") AND THE NICK-NAME OF THE GANG MEMBER WHO TOOK THE MONEY FOR THE "HIT" ("BRIGHTMORE").

48). WARDEN BURK STATED THAT SHE WAS FAMILIAR WITH PRISONER "KINCALD".

49). PLAINTIFF INFORMED WARDEN BURK THAT HE SIMPLY WANTED TO AVOID BEING HURT OR ASSAULTED AND ASKED TO BE PLACED BACK IN PROTECTIVE CUSTODY AND TRANSFERRED.

50). WARDEN BURK TOLD PLAINTIFF THAT SHE WOULD STAND BY S.G.C.'S DECISION AND THAT PLAINTIFF WOULD NOT BE TRANSFERRED ANYTIME SOON AND HAD PLAINTIFF ESCORTED BACK TO UNIT TWO.

51). ON THE EVENING OF 5-13-15 WHEN THE DINNER LINES FOR UNIT TWO WERE CALLED/RELEASED PLAINTIFF WAS ASSAULTED AND STABBED BY THREE GANG MEMBERS ON THE LEFT SIDE OF HIS HEAD AND NECK AREA AS HE WAS EXITING HIS CELL.

52). PLAINTIFF WAS PUSHED BACK INTO THE CELL AND STABBED IN THE EAR AND NECK, IF NOT FOR PLAINTIFF FIGHTING

FOR HIS LIFE AND BEING ABLE TO PUSH THROUGH THE GANG MEMBERS INTO THE HALLWAY AND RUN TOWARD THE OFFICER'S DESK WHERE NO OFFICER WAS PRESENT.

53). PLAINTIFF WAITED AT THE OFFICER'S DESK UNTIL AN OFFICER SHOWED UP TWO TO THREE MINUTES LATER, THE GANG MEMBERS RAN OUT OF THE UNIT AND WENT TO THE CHOW-HALL.

54). PLAINTIFF INFORMED THE DESK OFFICER THAT HE HAD BEEN STABBED AND WAS SENT TO HEALTH CARE, WHERE HE WAS QUESTIONED AND TOLD THAT HE (PLAINTIFF) WOULD BE SEEN BY THE INSPECTOR AND/OR LT. THAT NIGHT OR THE NEXT DAY BY THE SGT.

55). AFTER BEING TREATED FOR THE LARGE WOUND IN MY LEFT EAR AND THE THREE INCH GRIPE DOWN THE LEFT SIDE OF PLAINTIFF'S NECK, PLAINTIFF WAS ESCORTED TO SEGREGATION WHERE PICTURES WERE "THEN" TAKEN OF PLAINTIFF'S INJURIES.

56). PLAINTIFF INFORMED THE SGT. THAT HE DID NOT KNOW THE NAME OF THE GANG MEMBERS WHO ASSAULTED HIM BUT HE COULD IDENTIFY THE ONE WITH THE KNIFE AND THE SGT. INFORMED PLAINTIFF TO LET THE LT. AND INSPECTOR KNOW WHEN THEY TALKED TO HIM EITHER THAT NIGHT OR THE NEXT DAY.

57). AT NO-TIME ON 5-13-15, AFTER BEING ESCORTED TO SEGREGATION, THROUGH 5-19-15, (THE DAY PLAINTIFF WAS TRANSFERRED) WAS PLAINTIFF SEEN OR QUESTIONED BY ANYONE (THE LT, INSPECTOR DAVIS, ARVIS SOWA OR MS. BALDWIN), ASKED WHAT HAPPENED OR ASKED TO IDENTIFY THE GUY WHO STABBED HIM, IN FACT NO INVESTIGATION WAS CONDUCTED INTO THE STABBING OF PLAINTIFF.

58). ON 5-13-15 PLAINTIFF FILED A GRIEVANCE WITH THE GRIEVANCE COORDINATOR (L. BARNES), MCP 2015-05-0495-038, ON 6-20-15 PLAINTIFF RECEIVED THE STEP I RESPONSE AND MAILED HIS REQUEST FOR A STEP II GRIEVANCE FORM ON 6-21-15. TO THIS DAY PLAINTIFF HAS NOT RECEIVED THE STEP II GRIEVANCE. (SEE EXHIBIT C).

59). PLAINTIFF HAS MADE EVERY EFFORT TO EXHAUST HIS ADMINISTRATIVE REMEDIES BUT WAS HINDERED FROM DOING SO BY THE GRIEVANCE COORDINATOR WHO REFUSED TO FILE GRIEVANCE, THEN TRIED TO DISCOURAGE FILING BY RETURNING GRIEVANCES WITH INSTRUCTIONS TO CORRECT MINOR ERRORS THEN REJECTING GRIEVANCES FOR BEING "UNTIMELY" WHEN INSTRUCTIONS ARE FOLLOWED AND LASTLY FAILING TO PROVIDE THE STEP II & III GRIEVANCES TO ALLOW PLAINTIFF TO MOVE FORWARD WITH HIS COMPLAINTS.

DENIAL OF DUE PROCESS

60). PLAINTIFF WAS DENIED DUE PROCESS WHEN ARJIS SOWA; INSPECTOR DAVIS FAILED TO COMPLY WITH PD-05.01.140(X) AND CONDUCT AN INVESTIGATION INTO PLAINTIFF'S REQUEST FOR PROTECTIVE CUSTODY, BUT, INSTEAD DENIED PLAINTIFF'S REQUEST BECAUSE HE COULD NOT PROVIDE THE NAME OF THE GUY WHO PUT THE "HIT" ON HIS LIFE OR THE NAME OF THE GANG MEMBER WHO TOOK THE "HIT", NAMES PLAINTIFF DID NOT HAVE ON 3-18-15 OR 3-20-15.

61). PLAINTIFF WAS DENIED HIS DUE PROCESS WHEN AFTER BEING FOUND GUILTY OF THREATENING BEHAVIOR ON TWO INMATES NO "SPECIAL PROBLEM OFFENDER NOTICE"

(SPON) was not filed violating PD-03.03.110 (E)(1), obviously Inspector Davis believed the threat was real as he instructed the officer to write the misconduct thus warranting a "SPON" be placed in Plaintiff's file for the two inmates mentioned.

62). Plaintiff was denied due process when the Grievance Coordinator refused and/or failed to process and file step I grievances, returned step I grievances with excuses for corrections to be made then deny the grievances when corrections are made and grievance refiled and failing to provide step II and III grievances intentionally hindering Plaintiff's ability to litigate his complaints. violating PD-03.02.130 & OP-03.02.130.

63). Plaintiff was denied due process when warden Burk failed to have an investigation conducted according to PD-03.01.140(X), PD-03.03.110 (E)(1) after being made aware of her staff's failure to act accordingly to the circumstances and doubly so when Plaintiff was stabbed and assaulted after requesting protective custody from her personally in control center.

CLAIMS OF RELIEF

64). that the failure of Defendant Soria to conduct an investigation into Plaintiff's protective custody request by failing to review the unit one camera around and in the hall where cell 202 ~~Plaintiff~~ (Plaintiff cell) was located, or to ask Plaintiff to identify the guy who put the "hit" on him

"Kincaide", ~~And~~ The Three Gang members He named in His (Plaintiff's) initial statement and verbal statement to him (Defendant Sowa) at that time especially when Plaintiff told defendant Sowa that He (Plaintiff) could identify them or knew what they looked like, and lastly defendant Sowa gave Plaintiff an ultimatum that He ~~had~~ had two days to come up with the name of the guy who put the "hit" on you and the Gang member who took the hit or you will be denied protection. These words and actions or lack of action violated Plaintiff's Due Process Right and Eighth Amendment Right to Cruel and Unusual Punishment and Fourteenth Amendment Rights of the United States Constitution.

65). That the actions of defendants Davis, Sowa and Baldwin in denying Plaintiff protective custody on three (3) separate incidents 3-20-15, 4-24-15, and 5-7-15 resulted in Plaintiff being assaulted and stabbed six days after the last denial of protective custody violating Plaintiff's United States Constitutional Eighth Amendment Right to be free from Cruel and Unusual Punishment, constituting Deliberate Indifference to the Health & Safety of Plaintiff's life.

66). That the deliberate indifference of defendants Burk and Davis to Plaintiff's safety and their intentional failure to investigate the claims of Plaintiff as well as their refusal to provide protection for the Plaintiff constitutes a violation of the Fourteenth Amendment Right to Due Process and the Eighth Amendment Right to be free from Cruel and Unusual Punishment.

67). That the Deliberate Refusal of L. Barnes

TO PROCESS AND PROVIDE STEP # ~~II~~ ^{III} GRIEVANCES AS WELL AS DEFENDANT BARNES DELIBERATE HENDERANCE OF PLAINTIFF'S EFFORTS TO EXHAUST HIS ADMINISTRATIVE REMEDIES CONSTITUTES A VIOLATION OF THE UNITED STATES FOURTEENTH AMENDMENT RIGHT TO DUE PROCESS.

RELIEF REQUESTED

Wherefore, Plaintiff request that the Court grant the following:

(A) - Issue a Declaratory Judgement stating that:

1). That the deliberate failure of defendants Sowu, Davis and Burk to investigate the "Hit" and attempted assaults on Plaintiff constituted deliberate indifference and violated Plaintiff's Fourteenth Amendment Right to Due Process and resulted in Plaintiff being stabbed on the Left side of his head and neck, violating the Eighth Amendment Right to be free of cruel and unusual punishment.

2). That the deliberate denial and refusal of protective custody by defendants Davis, Sowu and Baldwin on three separate occasions resulted in Plaintiff being stabbed on the Left side of his head and neck area, violating Plaintiff's United States Constitutional Eighth Amendment Right against cruel and unusual punishment.

3). That the deliberate henderance of Plaintiff's attempts to file complaints, against S.C.C members Sowu, Davis and Baldwin, by Defendant Barnes constitutes a violation of Plaintiff's Fourteenth Amendment Right to Due

Process and that this action was deliberate.

(B) AWARD Compensatory damages in the following amounts:

1. \$60,000.00 Each for Warden Burk, Inspector Davis and ARUS Sowa and L. Barnes Griev. Cor.
2. \$40,000.00 Against Qualified Mental Health Provider Baldwin.

(C) AWARD PUNITIVE damages in the following amount

1. \$20,000 each for defendants Burk, Davis and Sowa. & Barnes
 2. \$10,000 for defendant Baldwin
- (D) GRANT such other relief as it may seem appropriate that plaintiff is entitled to.

Respectfully Submitted
Timothy L. Taylor

Dated: 12-15-15

Timothy Lewis Taylor

#212535

OAKS Correctional Facility

1500 Caberfae Hwy.

Manistee, Michigan 49660-9200

MIED (Rev. 03/11) Prisoner Civil Rights Complaint

see Attached

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed (signed) on December 15, 2015 (date).



Signature of Plaintiff

A

What attempt did you make to resolve this issue prior to writing this grievance? On what date? **PAGE 1 OF 2**

If none, explain why.

TO: WARDEN BURK

FROM: T. TAYLOR #212535

[RE: PROTECTIVE CUSTODY.]

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used.

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted

to the Grievance Coordinator in accordance with the time limits of OP 03.02.130. **I AM WRITING THIS KITE ON THIS GRIEVANCE BECAUSE THEY ARE NOT PROVIDING PAPER HERE IN SEG.**

I AM WRITING YOU THIS LETTER BECAUSE I JUST GOT DONE TALKING TO ARUS SOWA HERE IN SEG. ABOUT WHY I LOCKED UP FOR PROTECTION, I TOLD HIM THAT ON 3-12-15 I HAD GOT INTO A PHYSICAL CONFRONTATION WITH A GUY NICK-NAMED "WORLD", AND I CAME OUT ON TOP. ON 3-13-15 AFTER BREAKFAST A GUY I KNEW CAME TO ME AND TOLD ME THAT "WORLD" HAD PUT A "HIT" ON ME AND A "G.D." GANG MEMBER TOOK TO MONEY FOR THE "HIT" SO I HAD TO WATCH MY BACK. ON 3-13-15 AT AROUND 10:30 PM 8 TO 10 GANG MEMBERS CHASED ME TO MY CELL (UNIT 1 CELL 202) AND ROBBED ME OF MY FOOD ITEMS (\$20 IN FOOD) AND WAS ABOUT TO JUMP ON ME WHEN MY NEIGHBOR CAME OUT OF HIS CELL AND ASKED WHAT WAS GOING ON, I TOOK THAT OPPORTUNITY TO STEP INTO MY CELL AND SLAM THE DOOR. THESE GANG MEMBER TRIED TO JIMMY THE CELL DOOR OPEN AND CONVINCE ME TO COME OUT AND "TALK" TO THEM BUT I REFUSED. ALL OF THIS CAN BE VERIFIED BY THE UNIT 1 CAMERA AROUND CELL 202.

RESPONSE (Grievant Interviewed?) ☐ Yes ☐ No If No, give explanation. If resolved, explain resolution.)

AT 3:10 AM ON 3-14-15 I WENT TO THE OFFICERS DESK AND REQUESTED TO BE PLACED IN PROTECTION, I WROTE A COMPLETE STATEMENT AND GAVE IT TO THE SGT. NAMING THE NICK-NAMES OF THREE OF THE GANG MEMBERS I RECOGNIZED, "SOUTHERN, DODGE, AND EASTCOAST."

I TOLD ARUS SOWA TO REVIEW THE UNIT 1 CAMERA AROUND CELL 202 AND HE WOULD SEE WHAT I WAS TALKING ABOUT. ARUS SOWA ASKED ME WHAT WAS THE NAME OF THE GUY WHO PLACED THE "HIT" ON ME AND

Respondent's Signature

Date

Reviewer's Signature

Date

Respondent's Name (Print)

Working Title

Reviewer's Name (Print)

Working Title

Date Returned to
Grievant:

If resolved at Step I, Grievant sign here.
Resolution must be described above.

Grievant's Signature

Date

What attempt did you make to resolve this issue prior to writing this grievance? On what date? **PAGE 2 OF 2**

If none, explain why.

THE NAME OF THE GANG MEMBER WHO TOOK THE "HIT," I TOLD ARUS SOWA THAT I DID NOT KNOW THE REAL NAME OF THE GUY "WORLD" AND I DID NOT KNOW THE NAME OF THE GANG MEMBER WHO TOOK THE "HIT." ARUS SOWA THEN TOLD ME THAT I WOULD BE SEEN BY SEC

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used.

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.

ON THE 20TH SO I HAD TWO DAYS TO COME UP WITH THESE NAMES.

MS BURK, I AM IN SEC. THERE IS NO WAY THAT I CAN FIND OUT THE NAMES OF THESE GUYS, ITS LIKE ARUS SOWA WANTS ME TO DO HIS JOB FOR HIM, I TOLD HIM THAT I KNEW WHAT "WORLD" AND THE OTHER THREE GANG MEMBERS LOOKED LIKE BUT HE NEVER ASKED ME TO PICK THEM OUT OF A UNIT PHOTO/MVS SHOT BOOK AND HE GAVE ME THE IMPRESSION THAT HE WAS NOT GOING TO REVIEW THE UNIT 1 CAMERA AROUND CELL 202, THEREFORE I AM ASKING IF YOU WOULD PLEASE REVIEW THE CAMERA IN UNIT 1 AROUND CELL 202 SO THAT YOU WILL SEE THAT I AM TELLING THE TRUTH.

I AM ASKING YOU TO TRANSFER ME OUT OF THIS FACILITY SO THAT I CAN BE REMOVED FROM THIS SITUATION, MY LIFE IS IN DANGER AND I AM ASKING FOR PROTECTION.

Signed Taylor

Grievant's Signature

3-18-15

RESPONSE (Grievant Interviewed?)

☐ Yes

☐ No

If No, give explanation. If resolved, explain resolution.)

Respondent's Signature

Date

Reviewer's Signature

Date

Respondent's Name (Print)

Working Title

Reviewer's Name (Print)

Working Title

Date Returned to
Grievant:

If resolved at Step I, Grievant sign here.
Resolution must be described above.

Grievant's Signature

Date

What attempt did you make to resolve this issue prior to writing this grievance? On what date? Page 1 of 1
 If none, explain why.

TO: INSPECTOR DAVIS.

FROM: T. TAYLOR #212535

[RE: PROTECTIVE CUSTODY]

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used. Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130. I AM WRITING THIS ON A GRIEVANCE FORM BECAUSE THEY ARE NOT GIVING OUT PAPER IN SEC.

I AM WRITING YOU THIS LETTER BECAUSE ARUS SOLWA TOLD ME THAT I WILL BE SEEING YOU AND THE REST OF S.C.C THIS THURSDAY THE 20TH AND I WOULD LIKE TO REQUEST THAT YOU PLEASE REVIEW THE UNIT ONE CAMERA AROUND CELL 202 SO THAT YOU WILL SEE THE 8 TO 10 GANG MEMBERS TAKING MY STORE ITEMS AND IN THE PROCESS OF ASSAULTING ME.

INSPECTOR DAVIS, ON 3-12-15 I WAS IN A PHYSICAL ALTERCATION WITH A GUY CALLED "WORLD" AND HE CAME OUT ON THE SHORT END, ON 3-13-15 A GUY I KNEW CAME TO ME AND TOLD ME THAT "WORLD" HAD PLACED A "HIT" ON MY LIFE AND THAT A GANG MEMBER HAD TOOK THE MONEY FOR THE "HIT" AND THAT I SHOULD WATCH MY BACK. ON 3-13-15 I WAS CHASED TO MY CELL BY 8 TO 10 GANG MEMBERS AND AS THEY WERE ABOUT TO JUMP ME MY NEIGHBOR CAME OUT OF HIS CELL AND ASKED WHAT WAS GOING ON, I TOOK THIS OPPORTUNITY TO STEP BACK INTO MY CELL AND SHAM THE CELL DOOR, THE GANG MEMBERS THEN TRY TO JAMMY THE DOOR LOCK

RESPONSE (Grievant Interviewed?) ☐ Yes ☐ No If No, give explanation. If resolved, explain resolution.)

TO OPEN THE DOOR AND CONVINCE ME TO COME OUT TO "TALK", I REFUSED.

THERE IS A "HIT" ON MY LIFE AND I AM ASKING THAT YOU GRANT MY REQUEST FOR PROTECTIVE CUSTODY AND TRANSFER ME OUT OF THIS FACILITY. IF YOU REVIEW THE CAMERAS FROM UNIT ONE AROUND CELL 202 YOU WILL SEE THAT PROTECTION IS WARRANTED.

Signed
Taylor

Respondent's Signature

Date

Reviewer's Signature

3-18-15

Respondent's Name (Print)

Working Title

Reviewer's Name (Print)

Working Title

Date Returned to
Grievant:

If resolved at Step I, Grievant sign here.
Resolution must be described above.

Grievant's Signature

Date

B

MICHIGAN DEPARTMENT OF CORRECTIONS

MEMORANDUM

DATE: 3/24/2015

TO: Taylor 212535

LOCK:

FROM: L. Simmons, Grievance Coordinator
Muskegon Correctional Facility (MCF)

SUBJECT: GRIEVANCE FORM CORRECTION REQUIRED TO PROCESS

Your grievance is being returned to you for correction:

<input type="checkbox"/> ATTEMPT TO RESOLVE YOUR ISSUE	<input type="checkbox"/> SIGN YOUR GRIEVANCE
<input checked="" type="checkbox"/> CHECK YOUR DATES	<input type="checkbox"/> ADD NAME OF STAFF INVOLVED
<input type="checkbox"/> ADD __ COPY(S) OF YOUR EXTRA PAGES	<input type="checkbox"/> ALLOW STAFF TIME TO RESPOND
<input checked="" type="checkbox"/> MISSING DATE OF INCIDENT	<input type="checkbox"/> MISSING TODAY'S DATE
<input checked="" type="checkbox"/> MISSING COMPLETE NAME	<input checked="" type="checkbox"/> USE ONLY 1 GRIEVANCE FORM
<input type="checkbox"/> CANNOT ADDRESS HERE/SEND TO:	
<input checked="" type="checkbox"/> OTHER REASON(S):	Refer to PD 03.02.130

There is no paper being passed out Section 50

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
CSJ-247A

PAGE 1 OF 2

Date Received at Step 1 _____ Grievance Identifier: _____

Be brief and concise in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison Law Library.

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
TIMOTHY L TAYLOR	218535	MCF	586	3-20-15	3-20-15

What attempt did you make to resolve this issue prior to writing this grievance? On what date? YES 3-20-15
If none, explain why. DURING S.C.C. HEARING

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used.

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.

ON THE ABOVE DATE I WAS SEEN BY S.C.C. CONCERNING WHETHER MY REQUEST FOR PROTECTION WOULD BE UPHOLD OR DENIED. AT THIS HEARING I INFORMED INSPECTOR DAVIS, ARUS SONIA AND MS. BLOVIN (QMPP) THAT I DID NOT WANT TO BE RELEASED BACK TO G.P BECAUSE MY LIFE IS IN DANGER FROM GANG MEMBERS WHO TOOK A "HIT" ON MY LIFE, THAT IF THEY REVIEW THE CAMERA OF THE HALLWAY OF UNIT ONE AROUND CEN 202 THEY COULD VERIFY THAT 8 TO 10 GANG MEMBERS CHASED ME TO MY CELL AND ROBBED ME. I REQUESTED TO BE REMOVED FROM THIS SITUATION AS I DID NOT WANT ANYONE TO CAUSE ME HARM OR TO BE A VICTIM IN THE HOSPITAL.
IN RESPONSE TO MY STATEMENT INSPECTOR DAVIS STATED: "I DON'T BELIEVE YOU, IF THERE WAS A "HIT" ON YOU I WOULD KNOW ABOUT IT, I'M RELEASING YOU BACK TO GENERAL POPULATION..." WHEN ASKED WHAT IF SOMETHING HAPPENS TO ME? INSPECTOR DAVIS STATED: "THEN I GUESS WE WILL KNOW YOU TOLD THE TRUTH"
WHEN I ASKED IF HE REVIEWED THE CAMERA FROM IN FRONT OF MY CELL, THE INSPECTOR REPLIED: "NO"... I WROTE A STATEMENT ON 3-14-15

RESPONSE (Grievant Interviewed?) ☐ Yes ☐ No If No, give explanation. If resolved, explain resolution.)

Respondent's Signature	Date	Reviewer's Signature	Date
Respondent's Name (Print)	Working Title	Reviewer's Name (Print)	Working Title

Date Returned to Grievant:	If resolved at Step I, Grievant sign here. Resolution must be described above.	Grievant's Signature	Date
----------------------------	--	----------------------	------

MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
CSJ-247A

Date Received at Step I _____ Grievance Identifier: _____

Be brief and concise in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison Law Library.						
Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date	
PAGE 2 OF 2						

What attempt did you make to resolve this issue prior to writing this grievance? On what date? _____
If none, explain why.

When I Locked up and Submitted another written statement to the hearing investigator to deliver to the inspector but for some unknown reason he claims not to have received either of my statements and shows signs of

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used.

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.

Deliberate indifference to my physical safety and life.

There has been "no" investigation into my situation and visibly "no" signs of intentions of one being done as is required by PD-05.01.140(X). I am being forced to either return to G.P or sit in segregation for two to three months receiving D.D.O's every week for refusing to return to G.P which is a "punishment" for simply asking for the administration to protect me from being assaulted or stabbed.

The action and/or inaction of S.C.C violates my Eighth Amendment right to be free from cruel and unusual punishment.

J. Taylor

Grievant's Signature

RESPONSE (Grievant interviewed? ☐ Yes ☐ No If No, give explanation. If resolved, explain resolution.)

Respondent's Signature _____	Date _____	Reviewer's Signature _____	Date _____
Respondent's Name (Print) _____	Working Title _____	Reviewer's Name (Print) _____	Working Title _____

Date Returned to Grievant: _____	If resolved at Step I, Grievant sign here. Resolution must be described above. _____	Grievant's Signature _____	Date _____
----------------------------------	--	----------------------------	------------

DISTRIBUTION: White, Green, Canary, Pink — Process to Step One; Goldenrod — Grievant

A large, handwritten mark, possibly a signature or a stylized letter 'C', is drawn in black ink. It features a large, sweeping curve on the left side, a small loop at the top right, and a long, slightly curved tail extending towards the bottom right.

What attempt did you make to resolve this issue prior to writing this grievance? On what date? 4-10-15

If none, explain why.

TO: INSPECTOR DAVIS
FROM: T. TAYLOR #212535

RE: PROTECTIVE CUSTODY

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used.

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130

I AM WRITING THIS KITE ON THIS GRIEVANCE FORM BECAUSE THERE IS NO PAPER BEING PROVIDED IN SES.

I AM WRITING YOU THIS KITE TO INFORM YOU THAT ON 4-6-9 I WAS FOLLOWED INTO THE UNIT THREE LOWER BATHROOM BY FOUR GANG MEMBERS (TWO WITH WEAPONS) AND THE ONLY REASON WHY I WAS NOT ASSAULTED IS BECAUSE TWO GUYS I KNEW SAW THE GANG MEMBERS FOLLOW ME INTO THE BATHROOM AND THEY CAME IN AS WELL AND THEY STOPPED ANYTHING FROM HAPPENING. INSPECTOR DAVIS THE THREAT TO MY LIFE IS VERY REAL AND I AM ASKING YOU AND THE OTHER MEMBERS OF S.I.C. TO TRANSFER ME BEFORE ANYTHING HAPPENS, I FOUND OUT THE LAST NAME OF THE GUY WHO PUT THE "HIT" ON ME "KILGADE" AND THE NICK-NAME OF THE GANG MEMBER WHO TOOK THE MONEY FOR THE "HIT" "BRIGHTMORE", THESE ARE THE NAMES YOU ASKED ME FOR AND I AM ASKING YOU TO TRANSFER ME BEFORE ANYTHING HAPPENS TO ME OR TO ANYONE AS I WILL PROTECT AND DEFEND MYSELF EVEN THOUGH I AM ONE AGAINST MANY. I AM NOW IN THE HOLE FOR POSSESSION OF A WEAPON FOR TRYING TO PROTECT MYSELF.

Grievant's Signature

RESPONSE (Grievant Interviewed?) ☐ Yes ☐ No If No, give explanation. If resolved, explain resolution.)

IT SEEMS THAT S.I.C. WANTS TO PUNISH ME FOR REQUESTING PROTECTIVE CUSTODY OR THAT YOU WANT SOMETHING TO HAPPEN TO ME "FIRST" BEFORE PROTECTION WILL BE PROVIDED, THIS IS NOT RIGHT! THE WHOLE POINT FOR REQUESTING PROTECTIVE CUSTODY IS TO KEEP FROM BEING PUNISHED FOR ANY CONFRONTATION AND/OR TO KEEP FROM BEING INVOLVED IN ANY CONFRONTATION PERIOD. THEREFORE I AM ONE AGAIN ASKING TO BE TRANSFERRED AS MY LIFE IS IN DANGER.

Respondent's Signature

Date

Reviewer's Signature

Taylor
Date
4-10-15

Respondent's Name (Print)

Working Title

Reviewer's Name (Print)

Working Title

Date Returned to
Grievant:

If resolved at Step I, Grievant sign here.
Resolution must be described above.

Grievant's Signature

Date

What attempt did you make to resolve this issue prior to writing this grievance? On what date? 4-10-15

If none, explain why.

TO: WARDEN BURK
FROM: T. TAYLOR

[RE: PROTECTIVE CUSTODY.]

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used.

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.

I AM WRITING THIS KITE ON THIS GRIEVANCE FORM BECAUSE I AM NOT BEING PROVIDED PAPER IN SEC.

I AM WRITING THIS KITE BECAUSE I HAVE BEEN PLACED IN THE HOLE FOR POSSESSION OF A WEAPON AND I WANT TO ADD IMPRESS UPON YOU MY REQUEST FOR PROTECTION.. ON 4-6-15 I WAS FOLLOWED INTO THE UNIT THREE LOWER BATHROOM BY FOUR GANG MEMBERS (TWO WITH AIRGUNS) AND THE ONLY REASON THAT I WAS NOT STABBED OR ASSAULTED IS BECAUSE TWO OTHER INMATES WHO KNEW ME SAW THESE GANG MEMBERS FOLLOW ME IN THE BATHROOM AND THEY CAME INTO THE BATHROOM AFTER THEM AND STOPPED ANYTHING FROM HAPPENING. THIS SITUATION IS NOT GOING AWAY, ALSO I FOUND OUT THE LAST NAME OF THE INMATE WHO PLACED THE "HIT" ON MY LIFE "KINCAID" AND THE NICK-NAME OF THE GANG MEMBER WHO TOOK THE MONEY FOR THE "HIT" "BLIGHTMAN" THESE ARE THE TWO GUYS RESPONSIBLE FOR THESE ATTEMPTED ASSAULTS AND I AM ASKING TO BE TRANSFERRED BEFORE ANYTHING HAPPENS TO ME OR

RESPONSE (Grievant Interviewed?) ☐ Yes ☐ No If No, give explanation. If resolved, explain resolution.)

ANYONE ELSE.

INSPECTOR DAVIS NOR ARUS SOWA SEEMS TO BE INCLINED TO DO OR PERFORM ANYTIME OF INVESTIGATION INTO MY CLAIMS, ALL IT WOULD TAKE IS FOR ONE OR BOTH OF THEM (OR EVEN YOU) TO LOOK AT THE VIDEO FROM UNIT ONE AROUND CELL 202 AND IT WOULD BE SEEN THAT THIS THREAT IS REAL AND MY LIFE IS IN DANGER. PLEASE TRANSFER ME!!

Respondent's Signature

Date

Reviewer's Signature

Date

Respondent's Name (Print)

Working Title

Reviewer's Name (Print)

Working Title

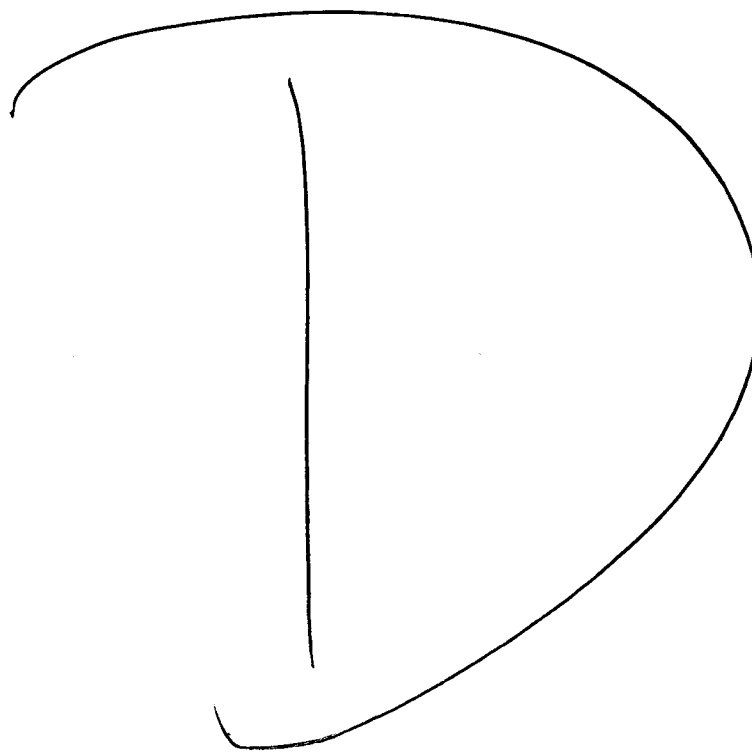
Date Returned to
Grievant:

If resolved at Step I, Grievant sign here.

Resolution must be described above.


Grievant's Signature

Date



MICHIGAN DEPARTMENT OF CORRECTIONS

CLASS I MISCONDUCT HEARING REPORT

Prisoner Number 212535	Prisoner Name TAYLOR	Facility Code MCF	Lock S-2	Violation Date 4.9.15
Charges: POSSESSION OF A WEAPON			Pleas: NOT GUILTY	
Misconduct Report read to and discussed with Prisoner		<input checked="" type="checkbox"/> (check if applies)		
Investigation read to/discussed with Prisoner		<input checked="" type="checkbox"/> (check if applies)		
EVIDENCE/STATEMENTS IN ADDITION TO MISCONDUCT REPORT:				
<p>The prisoner is present for the hearing. The investigation consists of Hearing Investigator report that the prisoner did not want an investigation, a picture of the evidence, Contraband Removal Record and Misconduct Sanction Screening Form.</p> <p>The prisoner says he had a heated argument with his cellmate the night before and he believes that his cellmate put the shank in his coat.</p>				
PD-03.03.105 DEFINITION(S):				
<p>Possession of a Weapon: Unauthorized possession of any item designed or intended to be used to cause or threaten physical injury to another person; unauthorized possession of piece, strip, or chunk of any hard material which could be used as a weapon or in the creation of a weapon.</p>				
REASON FOR FINDING:				
<p>According to the Misconduct Report the Reporting Officer found a six inch sharpened piece of metal inside the prisoner's coat pocket that was hanging on the door of the locker on the left side of cell 3-153, which is the prisoner's area of control. A photograph and documentation of the evidence has been provided. Per PD-03.03.105, a prisoner is presumed to possess contraband in his assigned area of control and has the burden of proof in overcoming this presumption.</p> <p>Although the prisoner has stated his firm belief (he says it's a fact) that his cellmate put the shank in his coat pocket, there is no evidence and the prisoner has not requested any witnesses that would serve to overcome the presumption of possession. The presumption of possession has not been overcome and pursuant thereto I find that the prisoner possessed the six inch sharpened piece of tubular steel. As such it could be used to cause serious bodily harm to another and I find the prisoner guilty of the charged offense.</p> <p>The prisoner was advised of findings and sanction and that he would receive the Hearing Report when completed.</p>				
PROPERTY DISPOSITION(for contraband see PD 04.04.112)				
The weapon is to be provided to the MSP.				
FINDINGS	REPORTING CODE	DISPOSITION (Top lock and LOP Sanctions begin/end at 6:00 am)		
GUILTY	029	10 DAYS DETENTION	BEGINS: 4.16.15	ENDS: 4.26.15
		30 DAYS LOSS OF PRIVILEGES	BEGINS: 4.26.15	ENDS: 5.26.15
Misconduct Hearing Report given to Staff Member by Hearing Officer for Delivery to the Prisoner on: 4.16.15 (check if applies) <input checked="" type="checkbox"/>				
Date of Hearing: 4.16.15		Name of Staff Member L. PHIPPS		
Hearing Officer's Name D. J. PALLAS 027		Hearing Officer's Signature 		Date 4.16.15

MICHIGAN DEPARTMENT OF CORRECTIONS
MISCONDUCT REPORTCSJ-228
10/10 4835-3228

Prisoner Number: 212535	Prisoner Name: TAYLOR	Facility Code: MCF	Lock: 3-153-A	Violation Date: 4-9-15
Time and Place of Violation: 1145 UNIT THREE CELL 153		Contraband Removal Record Provided to Prisoner? <input type="checkbox"/> Yes <input type="checkbox"/> N/A		
Misconduct Class: <input checked="" type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> III		Charge(s): POSSESSION OF A WEAPON		
Describe Violation (If contraband involved, describe in detail; identify any other employee witnesses): DURING A ROUTINE SHAKEDOWN OF CELL 153, I FOUND A TAN COLORED PIECE OF METAL APPROX. SIX INCH IN LENGTH AND SHARPENED TO A POINT AT ONE END. THIS ITEM WAS IN PRISONER TAYLOR #212535 COAT POCKET. THE COAT WAS HANGING ON THE LOCKER DOOR LOCATED ON THE LEFT HAND SIDE OF CELL 153. THIS IS PRISONER TAYLOR #212535 DIRECT AREA OF CONTROL PER THE MICHIGAN CORRECTIONAL FACILITY PRISONER GUIDE BOOK PG. 35. PRISONER TAYLOR #212535 WAS ID. BY UNIT COUNCIL BOARD AND AMNI.				
Reporting Staff Member's Name (Print) S. SHANK		Reporting Staff Member's Signature <i>S. Shank</i>		Date and Time Written 4-9-15 1210
REVIEW				
Location/Verification/Condition of Evidence: placed in evidence locker				
Elevated to Class I at review: <input type="checkbox"/> No <input type="checkbox"/> Yes		If "yes", explain reason:		
COMPLETE THIS SECTION ONLY FOR REVIEW OF CLASS I MISCONDUCT				
Status Pending Hearing: <input type="checkbox"/> Bond <input type="checkbox"/> Segregation <input type="checkbox"/> Confinement to Cell/Room <input type="checkbox"/> Other				
Reason if Non-Bond: <input checked="" type="checkbox"/> Non-Bond List <input type="checkbox"/> Bond Revoked (must give reason)				
Date and Time Given this Status: 4/9/15 1631		Who Notified in Housing Unit of Status: C/O Jones		
Hearing Investigator Requested? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		Witnesses Requested? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
Relevant Documents Requested? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		If yes, list:		
Additional Comments: Said the weapon is not his but does not want hearing investigator		Prisoner Waives 24 Hour Notice of Hearing? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
Reviewing Officer's Name (Print) Sgt. Brown		Reviewing Officer's Signature <i>[Signature]</i>		Review Date and Time 4/9/15 1633
I have received a copy of this report. My signature does not necessarily mean that I agree with the report. <input type="checkbox"/> Prisoner refused to sign. Copy given to prisoner.		Prisoner's Signature <i>[Signature]</i>		Date 4-9-15
WAIVER OF CLASS II OR III HEARING				
I understand I have a right to a hearing. I waive my right to a hearing and plead guilty to all charges. I also waive my right to appeal and accept the sanctions imposed.		Prisoner's Signature		Date
SANCTIONS IMPOSED (Hearing Investigator enters begin and end dates for Class II misconducts)				
Days Toplock	Begins:	Ends:	<input type="checkbox"/> Counseling/Reprimand (Class III only)	
Days Loss of Privileges	Begins:	Ends:	<input type="checkbox"/> \$ _____ Restitution (Class II only)	
Hours Extra Duty	Begins:	Ends:		
Property Disposition If Applicable:				
Employee Accepting Plea and Imposing Sanction (Print)		Employee's Signature		Date
Hearing Investigator's Name (Print)		Hearing Investigator's Signature		Date

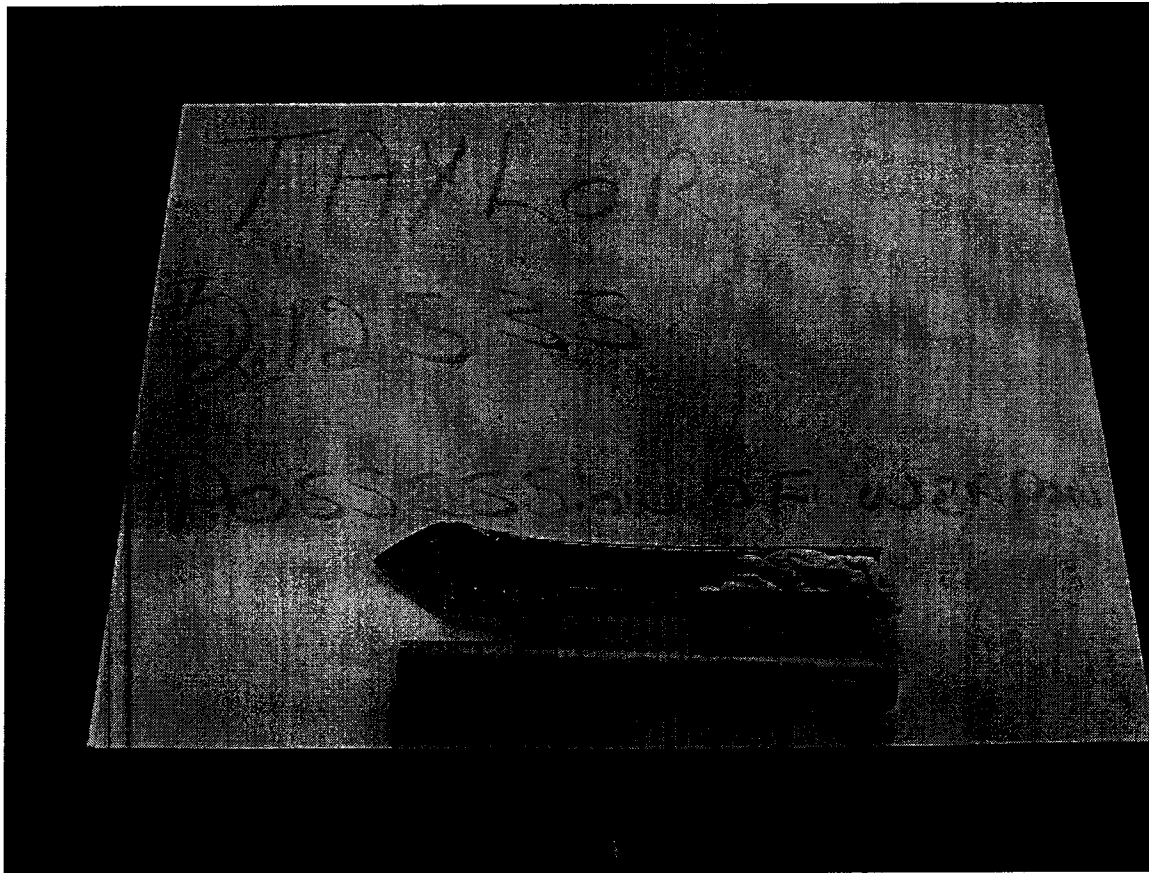
MICHIGAN DEPARTMENT OF CORRECTIONS

CONTRABAND REMOVAL RECORD

Date: 4-9-15	Time: 1145	Staff Member's Name: S. SHANK	Badge No: 1097008
Prisoner Name: TAYLOR	Prisoner Number: 212535	Lock: 3-153-A	Facility: MCF
Location Contraband Found: TAYLOR'S AREA OF CONTROL			

ITEM	DESCRIPTION AND REASON FOR CONFISCATION (DESCRIBE FULLY):
1	ONE PIECE OF METAL APPROX 6 INCH LONG WITH A SHARPENED
2	END FORMED TO A POINT, TAN IN COLOR.
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

<input checked="" type="checkbox"/> SECURED IN	OR	<input type="checkbox"/> TURNED OVER TO:	DATE: 4-9-15	TIME: 1520
CONTRABAND LOCKER				
FOR				
<input checked="" type="checkbox"/> HEARING	OR	<input type="checkbox"/> INSPECTION		
<input type="checkbox"/> RETURNED TO PRISONER AFTER INSPECTION & WITHOUT ACTION TAKEN			DATE	TIME
PRISONER - PRINT NAME:			SIGNATURE:	



Prisoner Name and Number _____ Taylor # 212535 _____

Date and time found _____ 4/09/2015 @1145 Hrs _____

Where found _____ 3-153 L/H Locker _____

Found By _____ C/O Shank _____

Verified _____ N/A _____

MDOC EVIDENCE, FOR OFFICIAL USE ONLY

MICHIGAN DEPARTMENT OF CORRECTIONS

MEMORANDUM

DATE: 4/13/15
TO: Hearings Officer
FROM: H.I. LaBudde
SUBJECT: Taylor #212535

On 4/13/15 inmate Taylor told me he didn't want to have a Hearings Investigator, he stated that he would just leave it to the Hearings Officer.

MICHIGAN DEPARTMENT OF CORRECTIONS

MEMORANDUM

DATE: 4/28/2015

TO: Taylor 212535

LOCK: 1- seg 2

FROM: A/Grievance Coordinator Barnes
Muskegon Correctional Facility (MCF)

SUBJECT: GRIEVANCE FORM CORRECTION REQUIRED TO PROCESS

Your grievance is being returned to you for correction:

<input type="checkbox"/> ATTEMPT TO RESOLVE YOUR ISSUE	<input type="checkbox"/> SIGN YOUR GRIEVANCE
<input type="checkbox"/> CHECK YOUR DATES	<input type="checkbox"/> ADD NAME OF STAFF INVOLVED
<input type="checkbox"/> ADD ___ COPY(S) OF YOUR EXTRA PAGES	<input type="checkbox"/> ALLOW STAFF TIME TO RESPOND
<input type="checkbox"/> MISSING DATE OF INCIDENT	<input type="checkbox"/> MISSING TODAY'S DATE
<input type="checkbox"/> MISSING COMPLETE LOCK NUMBER	<input checked="" type="checkbox"/> USE ONLY 1 GRIEVANCE FORM
<input type="checkbox"/> CANNOT ADDRESS HERE/SEND TO:	_____
<input checked="" type="checkbox"/> OTHER REASON(S):	Refer to PD 03.02.130

Michigan Department of Corrections
GRIEVANCE REJECTION LETTER

DATE: 5/5/2015

TO: TAYLOR 212535

LOCATION: MCF

SEG-2

FROM: Grievance Coordinator: A/GC L. Barnes

SUBJECT: Receipt/Rejection/Denial for Step I Grievance

Your Step I grievance regarding **Untimely Submission at Step 1**
was received in this office on **5/5/2015** and was rejected due to the reason noted above:

Any future references to this grievance should utilize this identifier:

MCF / 2015 / 05 / 0435 / 28E

Alice Barnes 5/5/15
Respondent Date

[Signature] 5/8/15
Reviewer Date

REC.
5-15-15
G.A.

**MICHIGAN DEPARTMENT OF CORRECTIONS
PRISONER/PAROLEE GRIEVANCE FORM**

 4835-4247 10/94
CSJ-247A
Date Received at Step I 5/5/16Grievance Identifier: MCT119191430112E

Be brief and concise in describing your grievance. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison Law Library.

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
TAYLOR Timothy	213535	MCF	UNIT-1-5	3-13-15	4-22-15

What attempt did you make to resolve this issue prior to writing this grievance? On what date? 7/25

If none, explain why. I LOCKED UP FOR PROTECTION ON 3-14-15 AT OR ABOUT 3:10 AM. I INFORMED S.L.G. (INSPECTOR, P.C. SOWA, MENTAL HEALTH PROVIDER) THAT A HIT HAD BEEN PLACED ON MY LIFE AND HE REFERRED TO B.P. I AFTER WOULD BE IN DANGER, THEIR RESPONSE WAS, "IF SOMETHING HAPPENS TO YOU ANYONE WILL KNOW YOU TOLD THE TRUTH".

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used. Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.

ON 3-13-15 I WAS ROBBED AND ALMOST ASSAULTED BY 8 TO 10 MEMBERS OF THE G.O.'S, I LOCKED MYSELF IN MY CELL TO STOP THE ASSAULT. SEE UNIT ONE VIDEO CAMERA LOCATED IN THE AREA OF CELL 202 FROM 10:30 PM TO 11:30 PM.

I PROVIDED THE INSPECTOR & P.C. SOWA WITH THREE NAMES IN MY FIRST STATEMENT GIVEN TO STAFF ON 3-14-15 AND I WROTE A DETAILED LETTER TO THE WARDEN WHICH WAS GIVEN TO HIM. HEARING - I WAS NOT HEARD PERSONALLY. AT THE SAME HEARING I WAS A VERIFIED REPORT OF STAFF THAT HAD BEEN MADE BY THE STAFF TO LOOK AT THE VIDEO CAMERA AND AS A RESULT MY REQUEST FOR PROTECTION. I WAS THEN TO RETURN TO B.P. AND STAY WITH HIM.

ON 4-6-15 I WAS CORNERED BY FOUR GUARD MEMBERS WITH GUNS AND WAS NOT HEARD. MY REQUEST FOR THE INTERVENTION OF THE OTHER GUARD MEMBERS, ON 4-10-15 I WAS HIT IN THE HEAD FOR NO REASON AND I WAS IN THE HALL ON 4-10-15 & WROTE THE INCIDENT REPORT AND REQUEST FOR PROTECTION.

Grievant's Signature

Timothy L. Taylor

RESPONSE (Grievant Interviewed?)

☐ Yes☒ No

If No, give explanation. If resolved, explain resolution.)

Resolved at Step I and placed in protective custody

Respondent's Signature

Date

Reviewer's Signature

Date

Respondent's Name (Print)

Working Title

Reviewer's Name (Print)

Working Title

Date Returned to Grievant:

 If resolved at Step I, Grievant sign here.
Resolution must be described above.

Grievant's Signature

Date

DISTRIBUTION: White, Green, Canary, Pink — Process to Step One; Goldenrod — Grievant

SEB OFFICERS HAVE NO OTHER PAPER, SCRAP OR OTHERWISE
IF YOU FAIL TO FILE THIS GRIEVANCE A COMPLAINT WILL BE FILED

OF THE PRISONER WHO PLACED THE "HIT" ON ME AND OF THE GANG
MEMBER WHO TOOK THE HIT AND SENT THE OTHER GANG MEMBERS AT ME.
I PROVIDED THE NAMES TO THE INSPECTOR AND AGAIN REQUESTED TO BE
TRANSFERRED TO STOP EITHER ME FROM BEING HURT OR FROM HAVING TO
HURT SOMEONE AS "I WILL DEFEND MYSELF."

I WROTE THE WARDEN, THE FIRST SHIFT LT./CAPTAIN A DETAILED
ACCOUNT OF THE INCIDENT STATING THAT I HAVE "ENEMIES" ON THIS
YARD AND ASKED TO BE TRANSFERRED TO BE FREE OF THIS SITUATION.
TODAY I SPOKE WITH P.C. SOWA AND HE "SMILED" SAYING YOU WILL
BE GOING BACK TO G.P. 4-21-15. I WAS SEEN BY S.C.C. ON FRIDAY.

TO FORCE ME TO HAVE TO CHOOSE BETWEEN MY LIFE, TAKING SOMEONE
ELSE'S LIFE OR BEING PUNISHED FOR REFUSING TO RETURN TO AN
HOSTILE ENVIRONMENT BY BEING WRITTEN SEVERAL P.D.O.'S IS A
DIRECT VIOLATION OF POLICY, WHICH STATES: "STAFF HAVE A
RESPONSIBILITY TO "PROTECT" THE LIVES OF BOTH EMPLOYEES AND
PRISONERS." (PD-03.03.130); "ANY ACT OR LACK OF CARE, WHETHER ^{BY} WILLFUL
ACT OR NEGLIGENCE, THAT INJURES OR SIGNIFICANTLY IMPAIRS THE
HEALTH OF ANY PRISONER IS PROHIBITED."; THE LAW AND THE
CONSTITUTION 8TH AMENDMENT.

**Date Received by Grievance Coordinator
at Step II**

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909

Name (first, last) Timothy L. Taylor	Number 212535	Institution LCF	Lock Number F-2-149	Date of Incident 3-13-15	Today's Date 5-26-15
---	------------------	--------------------	------------------------	-----------------------------	-------------------------

The decision of the grievance coordinator to REJECT the the basis of being "UNTIMELY" constitutes an abuse of arbitrary and capricious as what is not taken into account. Grievance coordinator L. Barnes had held the step 1 grievance returning it requesting that I make corrections, which I refused. The grievance CAN NOT now come back, after I refused to make corrections, and say that the grievance is

This is just another attempt of the grievance coordinator to hinder and discourage this grievant from filing this grievance and to protect his/her coworkers. This grievance is an

STEP II – Response

**Date Received by
Step II Respondent:**

 Respondent's Name (Print) Respondent's Signature Date

Date Returned to Grievant:

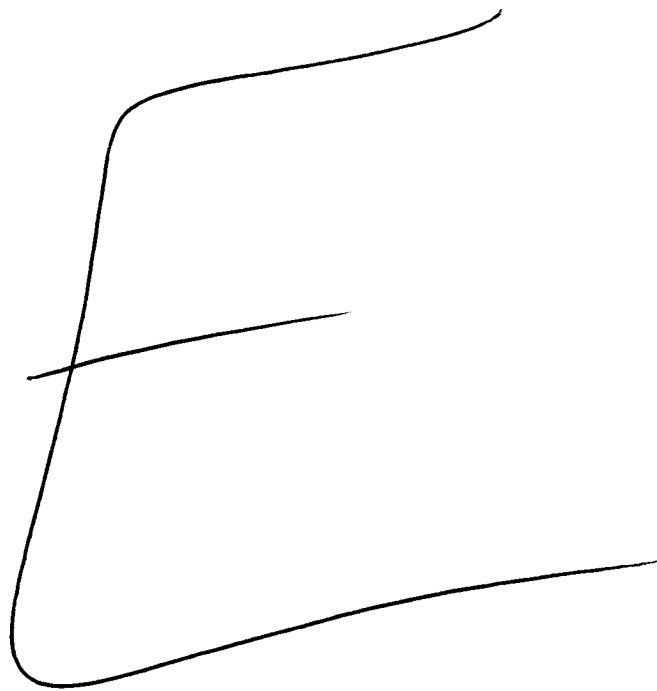
STEP III – Reason for Appeal

NOTE: Only a copy of this appeal and the response will be returned to you.


STEP III – Director's Response is attached as a separate sheet.

DISTRIBUTION: White - Central Office; Green - Canary - Step III; Pink - Step II; Goldenrod - Grievant

coworkers. This grievance is and was timely and I am requesting that it be given the attention that it deserves.

A large, handwritten capital letter 'E' in black ink. The letter is formed with three strokes: a vertical line on the left, a top horizontal line, and a bottom horizontal line. The letter is slightly slanted to the right.

CLASS I MISCONDUCT HEARING REPORT

Prisoner 212535	Prisoner Name Taylor	Facility Code MCFI	Lock I-002	Violation Date 04/24/2015
Charge(s) Threatening Behavior				
If Charge Changed by Hearing Officer			Plea <input type="checkbox"/> Guilty <input checked="" type="checkbox"/> Not Guilty	
Misconduct Report Read to and Discussed with Prisoner <input checked="" type="checkbox"/> (check if applies) Hearing Investigation Read to and Discussed with Prisoner <input checked="" type="checkbox"/> (check if applies)			No Hearing Investigation Requested <input type="checkbox"/> (check if applies)	
EVIDENCE/STATEMENTS IN ADDITION TO MISCONDUCT REPORT				
<p>Prisoner is present for the hearing and the misconduct report is reviewed with a screening form 1 page, a statement from prisoner Taylor 1 page. Prisoner Taylor is asked at hearing if he wrote the threatening note that was read to him at hearing and states yes. Prisoner states he is not guilty and who am I threatening and declines further statement. No further evidence is requested or is necessary. Prisoner is informed of the sanction and the decision and told that a copy of the hearing report would be delivered to him,</p>				
REASONS FOR FINDINGS				
<p>Pursuant to PD 03.03.105 Threatening Behavior: Words, actions, or other behavior which express an intent to injure or physically abuse another person: Prisoner Taylor wrote a letter on 4-24-15 at 1035 hrs and handed it to the to the reporting staff member that stated in part...If you place me back in G.P. I am going to kill or try to kill one or both of the guys I mentioned. I find that prisoner Taylor did express the intent to injure and physically abuse another person(s) by his above statement and admits at hearing he wrote the threatening letter. It is no defense to the charge that prisoner Taylor did not name names in the letter because he did state if he was placed in G.P. he was going to try to kill or kill two guys he had mentioned in the past to the reporting officer. I find no credible evidence that the reporting officer has lied or fabricated his statements. The reporting staff member is clear and detailed in his statements and found credible. The charge is upheld.</p>				
PROPERTY DISPOSITION (for contraband see PD 04.07.112)				
FINDINGS				
Charge No. 1	<input checked="" type="checkbox"/> Guilty	<input type="checkbox"/> Not Guilty	<input type="checkbox"/> Dismissed	Reporting Code <u>012</u>
Charge No. 2	<input type="checkbox"/> Guilty	<input type="checkbox"/> Not Guilty	<input type="checkbox"/> Dismissed	Reporting Code _____
Charge No. 3	<input type="checkbox"/> Guilty	<input type="checkbox"/> Not Guilty	<input type="checkbox"/> Dismissed	Reporting Code _____
Charge No. 4	<input type="checkbox"/> Guilty	<input type="checkbox"/> Not Guilty	<input type="checkbox"/> Dismissed	Reporting Code _____
DISPOSITION (select one or more) (Toplock & LOP Sanctions End at 6:00 am)				
Begins		Ends		
<u>10</u> Days of Detention	<u>04/30/2015</u>	<u>05/10/2015</u>	Days Credit _____	
Days Top Lock _____	_____	_____	Hours Extra Duty _____	
Days Loss of Privileges _____	_____	_____	\$ _____ Restitution	
Misconduct Hearing Report personally handed to Prisoner by Hearing Officer on this date: _____ (Check if Applies) <input type="checkbox"/>		Hearing Report given to Staff Member by Hearing Officer for Delivery to Prisoner this date: <u>4/30/2015</u> (Check if Applies) <input checked="" type="checkbox"/>		
Date of Hearing 04/30/2015		Name of Staff Member Goodno		
Hearing Officer's Name Theut 048		Hearing Officer's Signature 		Date 4-30-15

7017

5/5

MICHIGAN DEPARTMENT OF CORRECTIONS

MISCONDUCT REPORT

CSJ-228

10/10 4835-3228

Prisoner Number: 212535	Prisoner Name: Taylor	Facility Code: MCF	Lock: 1-002	Violation Date: 4-24-15
Time and Place of Violation: 1035 Segregation		Contraband Removal Record Provided to Prisoner? <input type="checkbox"/> Yes Date _____ <input checked="" type="checkbox"/> N/A		
Misconduct Class: <input checked="" type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> III		Charge(s): Threatening Behavior (prisoner victim)		
Describe Violation (If contraband involved, describe in detail; identify any other employee witnesses): At 1035 prisoner Taylor 212535 handed me a Kite addressed to the Inspector which stated "if you place me back in G.P. I am going to kill or try to kill one or both of the guys I mentioned." See attached Kite In'd by ID card				
Reporting Staff Member's Name (Print) N. Cranford		Reporting Staff Member's Signature <i>[Signature]</i>		Date and Time Written 4-24-15

REVIEW

Location/Verification/Condition of Evidence:

Elevated to Class I at review:

☐ No ☐ Yes

If "yes", explain reason:

COMPLETE THIS SECTION ONLY FOR REVIEW OF CLASS I MISCONDUCT

Status Pending Hearing: ☐ Bond ☒ Segregation ☐ Confinement to Cell/Room ☐ Other
Reason if Non-Bond: ☒ Non-Bond List ☐ Bond Revoked (must give reason)

Date and Time Given this Status:

1045 4/24/15

Who Notified in Housing Unit of Status:

C/O Breeding

Hearing Investigator Requested? ☒ No ☐ YesWitnesses Requested? ☒ No ☐ YesRelevant Documents Requested? ☒ No ☐ Yes

If yes, list:

Additional Comments:

Prisoner Waives 24 Hour Notice of Hearing? ☒ No ☐ Yes

Hearing Date: 4/24/15

Reviewing Officer's Name (Print)

Sgt. Nielsen

Reviewing Officer's Signature

[Signature]

Review Date and Time

4/24/15 1557

I have received a copy of this report. My signature does not necessarily mean that I agree with the report.

Prisoner's Signature

[Signature]

Date

4-24-15

☐ Prisoner refused to sign. Copy given to prisoner.

WAIVER OF CLASS II OR III HEARING

I understand I have a right to a hearing. I waive my right to a hearing and plead guilty to all charges. I also waive my right to appeal and accept the sanctions imposed.

Prisoner's Signature

Date

SANCTIONS IMPOSED (Hearing Investigator enters begin and end dates for Class II misconducts)

_____ Days Toplock Begins: _____ Ends: _____ ☐ Counseling/Reprimand (Class III only)
_____ Days Loss of Privileges Begins: _____ Ends: _____ ☐ \$ _____ Restitution (Class II only)
_____ Hours Extra Duty Begins: _____ Ends: _____

Property Disposition If Applicable: _____

Employee Accepting Plea and Imposing Sanction (Print)

Employee's Signature

Date

Hearing Investigator's Name (Print)

Hearing Investigator's Signature

Date

INSPECTOR!

THE SITUATION AS IT
STANDS IS THIS... IF YOU PLACE
ME BACK IN C.I.P I AM GOING
TO KILL OR TRY TO KILL
ONE OR BOTH OF THE GUYS
I MENTIONED OR THEY ARE
GOING TO KILL ME... IF YOU
ARE OK WITH THIS THEN
IT IS, WHAT IT IS...

Signed
Taylor